

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>12/10/2020</u>
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INSPIRX INC.,

Plaintiff,

-v-

LUPIN ATLANTIS HOLDINGS SA,

Defendant.  
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20-CV-3214 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

During a telephone conference on October 26, 2020, the Court ordered the parties to submit proposed redactions for any documents that were previously filed under seal by November 9, 2020, along with a letter justifying the need for such redactions under *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006). On November 9, 2020, Plaintiff requested, and the Court granted, an extension of time until November 13, 2020 to file the proposed redactions. (*See* Dkts. 63, 64.) On November 13, 2020, Plaintiff filed its proposed redactions (Dkt. 65), and on November 17, 2020, following an Order from the Court (Dkt. 66), Plaintiff filed highlighted versions of those redactions under seal (Dkt. 67). Plaintiff's submission includes a letter explaining both parties' views on the need for maintaining the redacted portions of those filings under seal.

Before making a final ruling on sealing, the Court requests additional clarification as to why the following redactions are justified under *Lugosch*, particularly in light of the information that Plaintiff has not moved to redact in this case: Exhibit 6 at 8; Exhibit 8 at 28; Exhibit 18 at 49, 53, 55, 61, and 62; and Exhibit 21 at 21. Accordingly, it is hereby ORDERED that Plaintiff shall file a letter by December 18, 2020 justifying those redactions. To the extent Plaintiff needs to file such letter under seal in order to properly explain the need for such redactions, it may do so. However,

the Court cautions that to the extent it finds that those redactions are not justified, the Court may also unseal that letter. The Court further reminds the parties that, to the extent it finds that sealing is warranted at this stage, it maintains unfettered discretion to unseal documents in this case at a later stage, and takes special note of the parties' representation that they have "agreed not to redact any terms that directly impact the claims in this action." (Dkt. 67 at 3.)

SO ORDERED.

Dated: December 10, 2020  
New York, New York

  

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JOHN P. CRONAN  
United States District Judge